

The Georgia Board of Chiropractic Examiners met on **September 11, 2003** at the Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia for the purpose of conducting business.

Members Present:

- Patrick J. Sallarulo, D.C., President
- David A. Wren, D.C., Vice President
- James A. Anchors, D.C.
- Karen Mathiak, D.C.
- J. Craig Patterson, D.C.

Others Present:

- Ajay Gohil, Assistant Attorney General
- Anita O. Martin, Executive Director
- Lea F. Williams, Board Secretary

President Sallarulo established that a quorum was present, and called the Public Hearing to order at 10:05 A.M. As no comments were received and no members of the public attended the hearing, it was adjourned at 10:06 A.M.

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Proposed rule amendment to 100-2-.09, Reinstatement of Expired Licenses: Dr. Wren made a motion to **adopt** the proposed rule amendment as posted. The motion was seconded by Dr. Patterson, with all members present voting in favor. (Attachment #2)

The Board voted that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as provided by O.C.G.A. §§ 43-1-25, 43-9-6.1, and 43-9-15 .

The Board also voted that it is not legal or feasible to meet the objectives of the applicable laws to adopt or implement differing actions for businesses as listed in O.C.G.A. §50-13-4(3)(A)(B)(C)(D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Chiropractic.

The Board met with Michele Cawyer and Dr. Catherine Palmier, M.D., from United Healthcare. This meeting was viewed as informational – no action was taken.

July 10, 2003 Minutes: Dr. Anchors made a motion to **approve** the minutes of the July 10, 2003 meeting as presented. The motion was seconded by Dr. Patterson and approved by the Board.

CCE Memo #1 re: revisions to CCE Standards: This item was viewed as informational, no action necessary.

CCE Memo #2 re: CCE Board elections: This item was viewed as informational, no action necessary.

CCE Memo #3 re: elections: This item was viewed as informational, no action necessary.

Letter from Daniel Estadt, D.C.: Dr. Patterson made a motion to **notify** Dr. Estadt that he does not meet the qualifications for licensure as set forth in the law and rules. The motion was seconded by Dr. Wren and approved by the Board.

CCE/Life University Accreditation Information: This item was viewed as informational, no action necessary.

Notice of Student Loan Default: Jeffery Strickland, D.C.: Dr. Anchors made a motion to **suspend** Dr. Strickland's license. The motion was seconded by Dr. Mathiak and approved by the Board.

Letter from Christopher Carver, D.C.: This item was viewed as informational, no action necessary.

Request from Rose Griffeth of the GCA: Dr. Wren made a motion to **advise** Ms. Griffeth that the Board does not maintain a list of approved techniques. The motion was seconded by Dr. Patterson and approved by the Board.

Request from the GCA: Dr. Patterson made a motion to **approve** Dr. Sallarulo to speak at the October Fall Convention. The motion was seconded by Dr. Anchors and approved by the Board.

Roster of New Licensees: Dr. Wren made a motion to **approve** the roster of new licensees. Dr. Mathiak seconded the motion and it was approved by the Board. (Attachment #1)

Request from NBCE: November Part IV Exam: All members present voted in favor for Dr. Sallarulo and Dr. Mathiak to assist the NBCE with the Part IV November exam.

Request submitted by Lee Dinoff, D.C.: Dr. Anchors made a motion to **approve** Dr. Dinoff's request for a modification of his December 2002 consent order, and to modify the requirement of "10 extra hours of CE in the area of Laws and Rules" to require "9 hours in the area of Clinical Science, and 1 hour of Laws and Rules." The motion was seconded by Dr. Wren and approved by the Board.

Dr. Wren moved, Dr. Anchors seconded, and the Board voted to enter into **EXECUTIVE SESSION** in accordance with O.C.G.A. §43-1-2(k) and §43-1-19(h) to deliberate on applications, receive enforcement's, Board attorney's and cognizants' reports, and meet with applicant(s) appealing previous denial of their application(s). Voting in favor of the motion were those present who included Board members Mathiak, Patterson and Sallarulo. The Board concluded Executive Session in order to vote on these matters and to continue with **OPEN SESSION**.

OPEN SESSION:

N.H.G.: Dr. Anchors made a motion to **issue** N.H.G. a license under a Private Consent Order, with one year probation with random drug screens during probationary period. Dr. Anchors further motioned to **accept** the signed consent order upon receipt. The motions were seconded by Dr. Wren and approved by the Board.

E.D.B.: Dr. Patterson made a motion to **approve** the application and issue the license. The motion was seconded by Dr. Mathiak and approved by the Board.

P.L.B.: Dr. Wren made a motion to **approve** the application and issue a license upon receipt of a clean GCIC from Enforcement. The motion was seconded by Dr. Patterson and approved by the Board.

J.E.V.: Dr. Anchors made a motion to **deny** the application for licensure. Dr. Wren seconded the motion and it was approved by the Board.

L.A.S.: Dr. Mathiak made a motion to **approve** the application for licensure. The motion was seconded by Dr. Patterson and approved by the Board.

G.E.H.: Dr. Wren made a motion to **approve** the application for Endorsement **upon** proof of passing the S.P.E.C. exam. The motion was seconded by Dr. Anchors and approved by the Board.

- B.V.B.:** Dr. Patterson made a motion to **deny** the application for Endorsement. The motion was seconded by Dr. Wren and approved by the Board.
- A.T.:** Dr. Wren made a motion to **reinstate** A.T.'s license under a Public Consent Order with a \$500.00 fine, and to accept the signed order upon receipt. The motion was seconded by Dr. Patterson and approved by the Board, with Dr. Anchors opposing.
- J.K.S.:** Dr. Mathiak made a motion to **send** J.K.S. a letter of concern regarding the conviction information submitted. The motion was seconded by Dr. Wren and approved by the Board.
- L.H.S.:** Dr. Anchors made a motion to **approve** L.H.S.' request to reduce the reinstatement fee to \$250.00. The motion was seconded by Dr. Wren and approved by the Board.
- W.I.R.:** Dr. Patterson made a motion to **approve** the application for endorsement upon proof of repayment status of defaulted student loans from the O.I.G. Dr. Mathiak seconded the motion and it was approved by the Board.

➤ **Anita O. Martin, Executive Director's Report:**

- Reported on new information regarding obtaining criminal histories for applicants.
- Discussed drafting a rule pertaining to utilization reviews.
- Requested Board members to submit items they would like to be placed on the 2004 Legislative Agenda.

➤ **Ajay Gohil, Attorney General's office:**

- **Andrew Hartpence, D.C.:** The Board voted to **accept** the Board Attorney's recommendation to send Dr. Hartpence a letter advising that he must pay the fine as required in the final order within 30 days, or the Board will move for a Notice Of Hearing.
- **Ladarian S. Gregory, D.C.:** The Board voted to **accept** the Public Consent Order.
- **Richard D. Clayton, D.C.:** The Board voted to **accept** the Public Consent Order.
- Recommended that an investigative interview with the respondent of case #03-059 be rescheduled for the November 6 meeting. The Board voted to **accept** the recommendation.
- Recommended that case #01-078 be reassigned to a new cognizant and schedule an investigative interview with the respondent for the November 6 meeting. The Board voted to **accept** the recommendation.

- Recommended that case #02-034 be reassigned to a new cognizant and schedule an investigative interview with the respondent for the November 6 meeting. The Board voted to **accept** the recommendation.

The Board made the following votes pertaining to Enforcement's report:

#03-026: Dr. Wren made a motion to **dismiss** the case, as no violation was found. The motion was seconded by Dr. Patterson and approved by the Board.

The Board made the following votes pertaining to the Cognizants' reports:

#04-008: Dr. Patterson made a motion to **dismiss** the case. The motion was seconded by Dr. Patterson and approved by the Board.

#03-072: Dr. Wren made a motion to **dismiss** the case. The motion was seconded by Dr. Mathiak and approved by the Board.

#04-009: Dr. Mathiak made a motion to **dismiss** the case, and flag the other two D.C.'s mentioned in the complaint records in case they petition for license reinstatement. The motion was seconded by Dr. Anchors and approved by the Board.

#04-001: Dr. Wren made a motion to **dismiss** the case. The motion was seconded by Dr. Patterson and approved by the Board.

#03-073: Dr. Anchors made a motion to **close** the case with a letter of concern. The motion was seconded by Dr. Wren and approved by the Board.

#02-021: Dr. Wren made a motion to **dismiss** the case. Dr. Anchors seconded the motion and it was approved by the Board.

#03-084: Dr. Patterson made a motion to **dismiss** the case. The motion was seconded by Dr. Mathiak and approved by the Board.

#03-082: Dr. Wren made a motion to **close** the case with a letter of concern. The motion was seconded by Dr. Patterson and approved by the Board.

#01-042 & 01-025: Dr. Anchors made a motion to **refer** the case to the A.G.'s office for a Public Consent Order with 1 year suspension, 6 years probation,

\$500.00 fine for each file not provided, and \$500.00 fine for aiding and abetting unlicensed practice. The motion was seconded by Dr. Patterson and approved by the Board.

#01-100:

Dr. Mathiak made a motion to **refer** the case to the A.G.'s office for a Public Consent Order with 60 days suspension, 5 years probation, and a \$10,000.00 fine. The motion was seconded by Dr. Wren and approved by the Board.

#03-080:

Dr. Wren made a motion to **dismiss** the case. The motion was seconded by Dr. Patterson and approved by the Board.

#03-083:

Dr. Anchors made a motion to **dismiss** the case. Dr. Mathiak seconded the motion and it was approved by the Board.

#04-004:

Dr. Patterson made a motion to **refer** the case to the A.G.'s office for a Public Consent Order, with 1 year probation, and \$500.00 fine for both D.C.'s. The motion was seconded by Dr. Anchors and approved by the Board.

#03-078:

Dr. Mathiak made a motion to **refer** the case to the A.G.'s office for a Public Consent Order, with 3 years probation, submission of drug screens once quarterly for the first year, and \$2500.00 fine. The motion was seconded by Dr. Wren and approved by the Board.

#03-045:

Dr. Patterson made a motion to **refer** the case to the A.G.'s office for a Public Consent Order, 30 days suspension, 3 years probation, \$2500.00 fine, and 1 extra hour of C.E. in Laws and Rules, as well as provide the Board with a copy of the office protocol. The motion was seconded by Dr. Mathiak and approved by the Board.

OTHER ITEMS:

Conviction information submitted by Gregory Carter, D.C.: The Board reviewed this information and voted that no action was necessary.

Draft Rule change for 100-7: The Board tabled this item.

Summary of information re: DC/MD Collaborative Practices: The Board tabled this item and directed the Executive Director to gather information from the Georgia Bureau of Investigations and the Federal Bureau of Investigations

F.G.: Dr. Wren made a motion to **reinstate** the license under a Private Consent Order, requiring the submission of 10 patient records within the first 6 months of practice to be reviewed by the Board. The motion was seconded by Dr. Anchors and approved by the Board.

Dr. Wren made a motion to approve Dr. Karen Mathiak to attend the Georgia Chiropractic Council Meeting on behalf of the Board. The motion was seconded by Dr. Anchors and approved by the Board.

There being no further business to come before the Board, the meeting was adjourned at 4:40 P.M. on September 11, 2003.

Minutes prepared by: Lea Williams, Board Secretary

Reviewed/Edited by: Anita O. Martin, Executive Director

Patrick Sallarulo, D.C.
Board President

Mollie L. Fleeman
Division Director

Licenses issued July 2, 2003 through August 29, 2003

License #	Name	Issue Date
CHIR007460	Piccirillo, Dana G.	7/3/2003
CHIR007461	Payne, William Alexander	7/7/2003
CHIR007462	Peterson, Marilyn Kathleen	7/7/2003
CHIR007463	Lundy, Glenn James	7/7/2003
CHIR007464	Citro, Timothy James	7/8/2003
CHIR007465	Neri, Cynthia Marie	7/8/2003
CHIR007466	Phan, Jenny Thuy	7/8/2003
CHIR007467	Albano, Tammy Marie	7/8/2003
CHIR007468	Kang, Hyung Gi	7/8/2003
CHIR007469	Duby, Tina Marie	7/11/2003
CHIR007470	Hess, Amanda Luann	7/14/2003
CHIR007471	King, Channing James	7/14/2003
CHIR007472	Williams, Vincent Dean	7/14/2003
CHIR007473	Hill, Matthew Joseph	7/14/2003
CHIR007474	Martinez, Claudia Liliana	7/14/2003
CHIR007475	Izumi, Hironori	7/14/2003
CHIR007476	Koch, Robert Jordan	7/17/2003
CHIR007477	Hood, Emma Danielle	7/17/2003
CHIR007478	Hogan, Christopher Adam	7/17/2003
CHIR007479	Sabry, Ayhem Attiah	7/18/2003
CHIR007480	Gardner, Jason Ross	7/18/2003
CHIR007481	Davis, Michael Kevin	7/28/2003
CHIR007482	Schipske, Ralph Gervasio	7/28/2003
CHIR007483	Waggoner, Steven Edward	7/28/2003
CHIR007484	Schreibman, Debra Ruth	7/28/2003
CHIR007485	Faber, Dawn Matee	7/28/2003
CHIR007486	Eappen, Nisha Nancy	7/29/2003
CHIR007487	Dasta, Nicholas J	7/30/2003
CHIR007488	Miller, Gretchen Elizabeth	7/30/2003

CHIR007489	Sanchez, Kimberly Nicole	7/30/2003
CHIR007490	Tingley, Gary William	7/30/2003
CHIR007491	Eisaman, Adam Gerald	7/30/2003
CHIR007492	Buffie, Jared Alfred	8/1/2003
CHIR007493	Buchkowski, Burl Lyn	8/1/2003
CHIR007494	Ching, Kimdi Joy	8/1/2003
CHIR007495	Logan, Nathan Lee	8/1/2003
CHIR007496	Landry, Michael Christopher	8/4/2003
CHIR007497	Barry, Caroline	8/4/2003
CHIR007498	Mobolade, Edith Omowunmi	8/7/2003
CHIR007499	Daley, Gaile Melanie	8/7/2003
CHIR007500	Testa, Alan D.	8/7/2003
CHIR007501	Kang, Grace Sun Young	8/11/2003
CHIR007502	McNulty, Christopher William	8/11/2003
CHIR007503	Peterson, Kristofor Mikael	8/18/2003
CHIR007504	Birmont-Sabra, Michelle Claudine	8/18/2003
CHIR007505	Heathcott, Gina Ann	8/18/2003
CHIR007506	Frails, Mia Danielle Dionne	8/19/2003
CHIR007507	Diamond, Timothy Luke	8/20/2003
CHIR007508	Stiso, Michele Elizabeth	8/20/2003
CHIR007509	Hakami, Ali Reza	8/20/2003
CHIR007510	Conley, Brad Patrick	8/26/2003
CHIR007511	Gillis, Scott Ian	8/26/2003
CHIR007512	Williams, John Sidney	8/26/2003

100-2-.09 Reinstatement of Expired Licenses.

(1) A chiropractic license which has not been reinstated within ninety (90) days of its expiration date as prescribed in 100-2-.02 above, shall be administratively revoked for failure to renew. Such failure to renew shall have the same force and effect as a revocation of said license as provided in O.C.G.A. [43-1-19](#) (1). Licenses that have been administratively revoked for failure to renew must be reinstated by the Board.

(2) For purposes of this regulation, the administrative revocation of license for failure to renew shall not be treated as a disciplinary action or contested case.

(3) Applicants who apply for reinstatement after the renewal deadline may be reinstated at the discretion of the Board.

(4) Applicants who apply for reinstatement three (3) years or more after the renewal deadline shall be required, before reinstatement of said license, to submit a detailed resume of such licensee's chiropractic experience since the date said license was renewed and in good standing. If the chiropractor has been practicing outside of Georgia, the Board must receive a statement from a recognized licensing jurisdiction regarding the state of licensure in such locale. Such applicants must meet all requirements set forth for applicants for reinstatement who apply after the renewal deadline, and together with the application, the Board may require proof of having successfully passed the Special Purposes Examination for Chiropractic developed and administered by the National Board of Chiropractic Examiners no earlier than 24 months prior to date of application.

(5) Upon evaluation of such information, the Board may reinstate said license, or at its discretion condition reinstatement of said license upon conditions acceptable to the Board.

O.C.G.A. §§ 43-1-25, 43-9-6.1, and 43-9-15.

**State of Georgia
County of Bibb**

**Affidavit Supporting Closing
Of Public Meeting**

The Georgia Open Meetings Act, O.C.G.A. 50-14-1 et seq., requires that all meetings of an entity covered by the statute must be open to the public unless there is some specific statutory exception which permits the closing of the meeting. If such a meeting is to be closed, the law requires that the presiding person execute a sworn affidavit stating that the subject matter of the meeting or the closed portion thereof was devoted to matters within the statutory exceptions and identifying those specific exceptions relied upon. O.C.G.A. 50-14-4(b). A copy of this affidavit must be filed with the minutes of the meeting in question:

Comes now Patrick J. Sallarulo, D.C., the presiding officer identified below and, before an official duly authorized to administer oaths, makes this affidavit in satisfaction of the statutory requirements outlined above.

1. I am the presiding officer of the **Georgia Board of Chiropractic Examiners.**
2. I am over the age of 18 and in all other aspects competent to make this sworn statement. I acknowledge that I am giving this statement under oath and penalty of perjury and that I have read the contents of this affidavit prior to signing it.
3. On **September 11, 2003**, this entity, which is subject to the Open Meetings Act, met. A majority of the quorum of the members present voted to close the meeting or a portion thereof for the following indicated reason(s). I hereby certify that during the closed portion of the meeting, only those subjects indicated below were discussed. I also certify that I have reviewed the exceptions provided under the Open Meetings Act that may permit the closing of a meeting and that, to the best of my knowledge, the reasons I have described in detail below meet the requirements for closing this public meeting.

4. The legal authority for the closure of this meeting was §§ 43-1-2(k) and 43-1-19(h).
5. The subject(s) discussed and the underlying facts supporting the closing of this meeting are:

Receive and review disciplinary /complaint files and reports; review applications; meet with applicants.

Further the affiant sayeth not.

Patrick J. Sallarulo, D.C.
(Presiding Officer)

Sworn and subscribed before me,

This **11th** day of **September**, 2003.

Regina F. Thompson
Notary Public